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December 3, 1996

VIA FEDERAL EXPRESS

Mr. William F. Caton  
Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

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Re: COMMENTS OF RADIO ORDER CORPORATION, GN DOC.  
NO. 96-228, FCC 96-441 IN THE MATTER OF WIRELESS  
COMMUNICATIONS SERVICE

Dear Mr. Caton:

Please find enclosed an original and nine copies of  
the COMMENTS OF RADIO ORDER CORPORATION hereby filed in the  
above referenced matter. Should there be any questions  
concerning this filing please contact the undersigned  
immediately at the referenced telephone number.

Respectfully submitted,

*David A. Reams*

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BEFORE THE FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

IN THE MATTER OF ) GN DOC. NO. 96-228  
WIRELESS COMMUNICATIONS ) FCC 96-441  
SERVICE )

COMMENTS OF RADIO ORDER CORPORATION

Now comes Radio Order Corporation ("ROC"), by counsel, a hereby comments on the NOTICE OF PROPOSED RULE MAKING ("NPRM") issued in the above captioned matter. These COMMENTS address the issue of how the Commission can establish Wireless Communications Service ("WCS") to maximize the public and national interest.

ROC'S INTEREST IN THIS MATTER

ROC is developing an interactive DARS system for DARS licensees to provide program-related voice information to listeners (see COMMENTS OF RADIO ORDER CORPORATION In the Matter of IB Docket No. 95-91, GEN Docket No. 90-357, RM No. 8610 Establishment of Rules and Policies for the Digital Audio Radio Satellite Service in the 2310-2360 MHz Frequency Band). In addition ROC's system will enable listeners to respond to DARS program material via a wireless response link, for example to order or request

information concerning products or services marketed over DARS and respond to surveys or polls conducted over DARS. The undersigned owns a pending United States patent application covering such a system. ROC's interest and request in this matter is that the Commission allocate 1 MHz for 2 service providers to provide on a competitive, nationwide basis a 500 kHz DARS interactive response link.

#### PROPOSED INTERACTIVE DARS SERVICE

The NPRM proposes to establish a new WCS in the 2305-2320 and 2345-2360 MHz bands to make 30 MHz available "[for] a broad range of fixed, mobile, radiolocation and broadcast-satellite services ... for any use permitted within any of the allocation categories of fixed, mobile, radiolocation, and broadcast-satellite services, subject to international requirements and coordination."

61 FR 59048 at 59050. By these COMMENTS RADIO ORDER CORPORATION proposes that the Commission allocate 1 MHz in the 2345-2360 MHz band for an interactive DARS response link, for 2 service providers to provide 2 competing, nationwide 500 kHz services for each 12.5 MHz DARS service in the DARS national service area. The need for such an allocation for a narrowband interactive DARS response link is that IVDS is limited to cellular geographic service areas and thus not appropriate for DARS national interactive service. See 47 CFR 95.803 (c). Like IVDS the proposed interactive DARS service should not permit common carrier service. See 47 CFR 95.803 (e).

The proposed 1 MHz interactive DARS service allocation

for 2 competing, nationwide 500 kHz service providers would enable DARS tuners to be originally built with interactive response capability. Such an allocation clearly meets all the objectives specified in the NPRM: in particular,

"to promote the most efficient use of the spectrum" (61 FR supra at 59048), "to serve the public interest in rapidly making available to the public those services most desired" (Id at 59050), allocating service on a nationwide basis to "provide certain economies of scale and scope needed for the development of low cost equipment ... promote the development [of] roaming within large geographic areas and ... facilitate interoperability ... to reflect the technologies and business plans of parties intending to implement [the] systems ... [and minimizing] the cost of providing service ..." (Id).

Further the 500 kHz per service provider allocation is "the minimum bandwidth needed to permit [interactive DARS] WCS operators to compete effectively." Id. Finally, each of the contemplated two 12.5 MHz DARS service providers or other unrelated entities could bid for the 500 kHz interactive DARS spectrum when the DARS spectrum is auctioned, thereby serving the objective of "licensing ... this spectrum and ... [collecting] ... all bidding proceeds on an expedited basis." Id at 59051.

Respectfully submitted,



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